

1 three other California Districts, each of which require settlement negotiations or
2 merit briefing. Counsel has a greater than usual number of merit briefs due in
3 November and December 2021. Thus, Counsel is requesting an extension through
4 January 10, 2021 to accommodate the number of cases due. For the week of
5 November 15, 2021, Counsel has nine merit briefs, several reply and settlement
6 letters. Counsel also has 11 administrative hearings before the Office of Hearings
7 Operations. For the month of December 2021, Counsel has 20 merit briefs
8 scheduled due, seven of which are due within 7 days of the current deadline. In
9 addition, Counsel has numerous reply briefs, settlement letters and EAJA motions
10 due in the short month of December 2021.

11 Counsel has also received an increase in the number of AC denials which
12 require a review for possible filing in US District Court. Lastly, Counsel has end
13 of the year business reviews to conduct as the CEO of Peña & Bromberg, PC.

14 Due to the increase in certified administrative records being filed by
15 defendant, Counsel for Plaintiff has a larger than usual number of briefs due for the
16 months of November and December 2021.

17 Compounding the issue of an increased number of merit briefs due, Counsel
18 has preplanned vacation days for the Thanksgiving and Christmas holidays.
19 Counsel respectfully requests the Court granted the requested extension.

20 Counsel for the Plaintiff does not intend to further delay this matter.
21 Defendant does not oppose the requested extension. Counsel apologizes to the
22 Defendant and Court for any inconvenience this may cause.

23
24 Respectfully submitted,

25 Dated: November 8, 2021 PENA & BROMBERG, ATTORNEYS AT LAW
26

27 By: /s/ Jonathan Omar Pena
28 JONATHAN OMAR PENA

Attorneys for Plaintiff

Dated: November 8, 2021

PHILLIP A. TALBERT
Acting United States Attorney
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Regional Chief Counsel, Region IX
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By: */s/ Sarah E. Preston
Sarah E. Preston
Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on November 8, 2021)

ORDER

Based upon the foregoing stipulation of the parties (Doc. 15), and for good cause shown (Fed. R. Civ. P. 16(b)(4)), IT IS HEREBY ORDERED, that Plaintiff shall have an extension of time, to and including January 14, 2022, in which to file Plaintiff's motion for summary judgment. All other deadlines set forth in the Scheduling Order (Doc. 14) shall be extended accordingly.

IT IS SO ORDERED.

Dated: November 10, 2021

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE